

251095

USDOT#
0

Legal: DARRELL GERMAN

Operating (DBA): RIDE IT OUT LLC

MC/MX #:

Id #:

Federal Tax ID:

Review Type: Safety Audit – New Entrant

Location of Review/Audit: State Field Office

Scope: Entire Operation

Territory:

Operation Types Interstate Intrastate

Carrier: N/A Non-HM

Shipper: N/A N/A

Cargo Tank: N/A

Business: Corporation

Gross Revenue: \$0

for year ending: 6/9/2014

Company Physical Address:

1309 Cadence Dr
Mt Pleasant, SC 29466, UNITED STATES

Contact Name: Darrell German

Phone numbers: (1) 8438497433

(2) 8437937794

Fax 8438497433

E-Mail Address: dgerman@justrideitout.com

Company Mailing Address:

1309 Cadence Dr
Mt Pleasant, SC 29466, UNITED STATES

Carrier Classification

Other

Cargo Classification

Passengers

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? No

Driver Information

	Inter	Intra
< 100 Miles:	0	1
>= 100 Miles:	0	0

Average trip leased drivers/month: 0

Total Drivers: 1

CDL Drivers: 1

Equipment

	Owned	Term Leased	Trip Leased	Owned	Term Leased	Trip Leased
Minibus, 16+	1	0	0			

Power units used in the U.S.: 1

Percentage of time used in the U.S.: 100





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Part A

Questions regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carrier at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10311 Wilson Blvd, Building D-2, POB 1993, Blythewood, South Carolina 29016
Phone (803) 896-2696 Fax: (803) 896-5526

This SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed:

Name: Darrell German

Title: Owner





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Part B - Questions and Answers

An asterisk (*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

Question General # 1 Section # 387.7(a) Acute

Does the carrier have the required minimum level of financial responsibility in effect (property carrier)?

Answer
N/A

Question General # 2 Section # 387.7(d) Critical

Does the carrier have required proof of financial responsibility (property carrier)?

Answer
N/A

Question General # 3 Section # 387.31(a) Acute

Does the carrier have the required minimum level of financial responsibility in effect (passenger carrier)?

Answer
Yes

Question General # 4 Section # 387.31(d) Critical

Does the carrier have required proof of financial responsibility (passenger carrier)?

Answer
Yes

Question General # 5 Section # 13901 (392.9a(a)(1))

Is the motor carrier authorized to conduct interstate operations in the United States?

Answer
N/A

Comments

Intrastate operations only.

Question General # 6 Section # 390.15(b)(1)

Can the carrier provide a complete accident register of recordable accidents?

Answer
N/A

Question General # 7 Section # 390.15(b)(2) Critical

Does the carrier have copies of all accident reports required by States or other government entities or insurers?

Answer
N/A

Question General # 8 Section # 390.3(e)

Is the carrier knowledgeable of the FMCSRs/HMRs?

Answer
Yes

Comments

on-line

Question General # 9 Section # 390.21

Does the carrier know the commercial motor vehicles marking requirements?

Answer
No *

Comments

bus not marked on left or right side

Question Driver # 1 Section # 391.51(a) Critical

Does the carrier maintain driver qualification files?

Answer
Yes

Question Driver # 2 Section # 391.11(b)(4) Acute

Is the carrier using physically qualified drivers?

Answer
Yes

Question Driver # 3 Section # 391.45(a), 391.45(b) Critical

Is the carrier using a driver without a medical certificate or with an expired medical certificate?

Answer
No



Question Driver # 4 Section # 391.15(a) Acute Is the carrier using any disqualified drivers?	Answer No
Question Driver # 5 Section # 391.51(b)(2) Critical Does the carrier maintain driving inquiry data in driver qualification files?	Answer Yes
Question Driver # 6 Section # 382.115(a), 382.115(b) Acute Has the carrier implemented an alcohol and/or controlled substances testing program?	Answer Yes
Question Driver # 7 Section # 382.213(b) Acute Has the carrier used drivers who have used controlled substances?	Answer No
Question Driver # 8 Section # 382.215 Acute Has the carrier used a driver who has tested positive for a controlled substance?	Answer No
Question Driver # 9 Section # 382.201 Acute Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?	Answer No
Question Driver # 10 Section # 382.505(a) Acute Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?	Answer No
Question Driver # 11 Section # 382.301(a) Critical Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function?	Answer Yes
Question Driver # 12 Section # 382.303(a) Critical Has the carrier conducted post accident testing on drivers for alcohol?	Answer N/A
Question Driver # 13 Section # 382.303(b) Critical Has the carrier conducted post accident testing on drivers for controlled substances?	Answer N/A
Question Driver # 14 Section # 382.305 Acute Has the carrier implemented random testing program?	Answer Yes
Question Driver # 15 Section # 382.305(b)(1) Critical Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate or prorated rate of the average number of driver positions?	Answer N/A
Question Driver # 16 Section # 382.305(b)(2) Critical Has the carrier conducted controlled substance testing at the applicable prorated rate of not less than the applicable annual rate of the average number of driver positions?	Answer N/A
Question Driver # 17 Section # 40.305(a) Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?	Answer N/A
Question Driver # 18 Section # 40.309(a) Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?	Answer N/A

Question Driver # 19 Section # 382.211 Acute Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?	Answer N/A
Question Driver # 20 Section # 382.503 Critical Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?	Answer N/A
Question Driver # 21 Section # 383.23(a) Critical Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?	Answer N/A
Question Driver # 22 Section # 383.37(a) Acute Has the motor carrier knowingly allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?	Answer No
Question Driver # 23 Section # 383.51(a) Acute Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?	Answer No
Question Operations # 1 Section # 395.1(e)(1), 395.1(e)(2) Does the carrier have a system for recording hours of duty status on 100/150- mile radius drivers, and are they properly utilizing the 100/150 air-mile radius exemption?	Answer Yes
Question Operations # 2 Section # 395.8(a) Critical Does the carrier require drivers to make a record of duty status?	Answer N/A
Question Operations # 3 Section # 395.8(i) Critical Does the carrier require drivers to submit records of duty status within 13 days?	Answer N/A
Question Operations # 4 Section # 395.8(k)(1) Critical Can the carrier produce records of duty status and supporting documents for selected drivers?	Answer N/A
Question Operations # 5 Section # 395.3(a)(1) Critical Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)	Answer N/A
Question Operations # 6 Section # 395.3(a)(2) Critical Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)	Answer N/A
Question Operations # 7 Section # 395.3(b)(1) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)	Answer N/A
Question Operations # 8 Section # 395.3(b)(2) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)	Answer N/A
Question Operations # 9 Section # 395.5(a)(1) Critical Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)	Answer No
Question Operations # 10 Section # 395.5(a)(2) Critical Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)	Answer No



Question Operations # 11 Section # 395.5(b)(1) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)	Answer No
Question Operations # 12 Section # 395.5(b)(2) Critical Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)	Answer No
Question Operations # 13 Section # 395.8(e) Critical Does available evidence indicate a selected driver has prepared a false record of duty status?	Answer No
Question Operations # 14 Section # 392.2 Critical Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?	Answer Yes
Question Operations # 15 Section # 392.9(a)(1) Critical Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?	Answer N/A
Question Operations # 16 Section # 392.4(b) Acute Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?	Answer No
Question Operations # 17 Section # 392.5(b)(1) Acute Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?	Answer No
Question Operations # 18 Section # 392.5(b)(2) Acute Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?	Answer No
Question Maintenance # 1 Section # 396.3(b) Critical Can the carrier produce maintenance files for requested vehicle(s)?	Answer Yes
Question Maintenance # 2 Section # 396.17(a) Critical Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?	Answer Yes
Question Maintenance # 3 Section # 396.11(a) Critical Does the motor carrier require drivers to complete vehicle inspection reports daily?	Answer N/A
Question Maintenance # 4 Section # 396.11(c) Acute Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?	Answer N/A
Question Maintenance # 5 Section # 396.9(c)(2) Acute Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made?	Answer N/A
Question Maintenance # 6 Section # 396.19 Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?	Answer Yes
Question Maintenance # 7 Section # 396.3 Can the carrier explain its systematic, periodic maintenance program?	Answer Yes



Question Other # 1 Section # 375.211 Does the carrier participate in an Arbitration Program?	Answer N/A
Question Other # 2 Section # 13702.0 Does the carrier assess shipper freight charges based upon published tariffs?	Answer N/A
Question Other # 3 Section # 375.401(c) Does the carrier provide reasonably accurate estimates of moving charges?	Answer N/A
Question Other # 4 Section # 375.407(a), 375.703(b) Has the carrier avoided "hostage freight" or other predatory practices?	Answer N/A
Question Other # 5 Section # 387.301(a), 387.301(b) Does the HHG carrier have sufficient levels of public liability and cargo insurance?	Answer N/A
Question Other # 6 Section # 375.215 Does the carrier have a published tariff and is the motor carrier changing the applicable rate (375.215).	Answer N/A
Question Other # 7 Section # 375.213 Can the motor carrier identify the five documents required to be given to a prospective individual shipper prior to executing an order for service?	Answer N/A
Question Other # 8 Section # 49 CFR 37 subpart H Does the carrier have the means to provide accessible over-the-road bus (OTRB) service on a 48-hour advance notice basis by its owned or leased OTRBs?	Answer N/A
Question Other # 9 Section # 49 CFR 37 subpart H If the carrier does not have the means then does the carrier have an arrangement with another carrier that operates accessible OTRBs?	Answer N/A

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.



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Part B Requirements and/or Recommendations

1. Obtain a copy of each driver's driving record and review it annually.
2. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
3. Do not allow drivers to drive interstate unless they have been physically re-examined each 24 months.
4. Obtain from any driver used for the first time (or intermittently) a signed statement showing the total time on-duty during the preceding seven (7) days and the time at which the driver was last relieved from duty.
5. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.





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Part B

Your Proposed Safety Audit Result is: **PASS**

Explanation of Scoring Methodology

Factor	Failed Questions		Performance Test Status	Total Points	Factor Status
	Critical	Acute			
1. General	0	0	—	0	PASS
2. Driver	0	0	—	0	PASS
3. Operations	0	0	—	0	PASS
4. Maintenance	0	0	PASS — 0.00 %	0	PASS
5. Hazardous Materials	—	—	—	—	—
6. Accidents	—	—	PASS — 0.00	—	PASS
SUM	0	0		0	PASS

Result: Carrier has adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

HOW THE SA IS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

OVERALL STATUS DETERMINATION - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.





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Review Date:
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Part C

Corporate Contact: Darrell German
Corporate Contact Title: Owner

Special Study Information:

Remarks:

REASON FOR SAFETY AUDIT:

This safety audit was conducted as a result of the carrier applying for Intrastate Authority with South Carolina Public Service Commission Class C Bus Certification. This company has had no prior safety audits.

CARRIER'S OPERATION DESCRIPTION:

Ride It Out, LLC, currently has no DOT number and was advised to get an Intrastate DOT number. The carrier's principal place of business (PPOB) is 1309 Cadence Drive, Mount Pleasant, SC 29466. The safety audit was conducted at the PPOB with Darrell German (Owner) who provided the documents to be reviewed. Mr. German is responsible for the day to day operations for the carrier. The carrier will be transporting passengers within the Charleston area, this includes to and from the Charleston Airport.

The carrier's tax year extends from January 1 to December 31 each year. The carrier's gross income for the period ending 12/31/2013 was \$200,716.00. The carrier's Federal Tax Identification Number is 27-0384486(EIN). Currently the carrier operates with two, 15 passenger buses.

PRE-INVESTIGATION/CDLIS CHECK:

A driver license check was performed on two part time drivers that the carrier currently uses for the 15 passenger buses. Both drivers have a valid Class B license with a passenger endorsement. The carrier is insured with American Southern Insurance Company out of Atlanta GA. The carrier has the required level of insurance.

INVESTIGATION:

Ride It Out, LLC, started business with one 15 passenger bus in 2012. The business has grown in the past two years causing the company to purchase another 15 passenger bus. Mr. German has recently purchased a 24 passenger bus having a total of three buses operating in Charleston area. The carriers' future plans are to purchase a motor coach to operate in intrastate and eventually operate in interstate commerce. The carrier is familiar with the Federal Motor Carrier Safety Regulations (FMCSR's) and has started files for parts of the regulations.

Part 387 - This carrier has \$1,000,000.00 in financial responsibility which was verified during the audit. American Southern Insurance Company 3715 Northside Parkway NW Building 400 8th floor Atlanta, GA 30327-2806.

Part 390 - The carrier has not been involved in a recordable collision. However, I explained the circumstances that require an accident register and copies of accident reports to be maintained. We also discussed post-accident alcohol and controlled substances testing requirements outlined in Part 382.303. The carrier was provided with an accident register from the ETA packet.

Part 391 - The employment applications were incomplete and the safety performance history records check consisted only of the first page that had not been completed. The carrier is running a 10 year MVR on drivers. Mr. German and I discussed Part 391. We also discussed each document that is required in the DQ file as outlined in Part 391.51 to include when those documents are required to be completed. Mr. German was also reminded of the annual investigative requirements. The retention period for the DQ file to include those documents that can be removed from the DQ file after 3 years were also discussed.

Part 382 - The carrier has enrolled as of 6/3/2014 in an alcohol and controlled substances testing program with Health First 8740 Rivers Avenue North Charleston, SC 29406. The drivers are enrolled in a random testing program. We discussed the requirements of Part 382.301 (Pre-employment testing) and Part 382.305 (Random testing). We also discussed Part 382.507 (Penalties for violating this part of the FMCSR) and the records retention requirements outlined in Part 382.401.

Part 395 - The carrier does not have a policy letter in-place addressing the consequences of violating the HOR regulation. The requirements of Part 395.3 and Part 395.8 along with emphasizing the possible penalties for violating this part of the FMCSR as outlined in Part 395.8(e). The retention period for RODs along with supporting documents were discussed. Form and manner requirements were



vehicle identification listed. Mr. German and I discussed the requirement to identify each vehicle maintenance folder as outline in Part 396.3(b)(1), a means to indicate the service to be performed as required in Part 396.3(b)(2) and a record of inspections, repairs and maintenance indicating their date and nature as outlined in part 396.3(b)(3). Mr. German was also reminded of the periodic inspection required in Part 396.17. We also discussed the requirements of Part 393 of the FMCSR to include the records keeping requirements outlined in Part 396.3(c) and 396.21(b) (1).

DOCUMENTS PROVIDED TO THE CARRIER:

Mr. German, Owner, was given a tour of the FMCSA and CSA web sites. I emphasized the importance of registering and frequently viewing the information contained in CSA. The carrier was given a CDL-18 form along with instructions. The carrier was also advised that access to CSA could be obtained by using the carrier's USDOT Number and PIN. I also demonstrated how to access information from the FMCSR and the ETA packet.

CONCLUSION:

Darrell German, Owner, was present for the close-out session. We discussed each part of the FMCSR. Additional time was taken in order to explain detailed portions of the FMCSR. Mr. German was reminded of all record-keeping requirements. He was very cooperative and displayed an interest in complying with the FMCSR.

The overall safety audit result was passing. The crash rate was 0 per million miles. A level 5 inspection was conducted on the 24 passenger bus. Mr. German took notes and asked questions.

All carrier documents reviewed during this safety audit were obtained by Mr. German.

Safety Audit Conducted by:
TA Sullivan SC0129

Upload Authorized:	Yes	No	
Authorized by:			Date:
Uploaded:	Yes	No	Failure Code:
Verified by:			Date: